REMARKS

The specification has been amended to add section headings.

Claims 1-10 were rejected under §112, second paragraph, and have been amended as to form. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1-10 were rejected as anticipated by LISEC 5,476,124. Claim 1 has been amended and reconsideration and withdrawal of the rejection are respectfully requested. Support for the amendment is found, for example, in Figure 1 that shows movement of the seal 20 solely perpendicular to a plane of the plates 4, 6.

LISEC describes a device for filling insulating glass panes with a gas that includes (Figure 5) seal 30 that seals one end of the glass panes. Gas feed 50 in seal 30 feeds the gas between the glass panes. As explained at column 6, lines 26-37, seal 30 swings into place following the arc of arrow 46. When swinging into place, seal 30 pivots about axis 61. In addition (not as an alternative as indicated in the Official Action), seal 30 is adjustable perpendicularly to plates 1 and 2 as indicated by arrow 32 so that gas feed 50 can be aligned with the opening between the panes when seal 30 is in place sealing the end of the panes. The mechanism for moving seal 30 in the direction of arrow 32 is not described. Thus, seal 30 both swings in an arc and moves perpendicular to plates 1 and 2.

By contrast, amended claim 1 provides that the wherein the seal (20) between the plates (4, 6) is adjustable solely perpendicular to a plane of the plates (4, 6). There is no suggestion in LISEC to move seal 30 solely perpendicular to the plane of the plates. Indeed, seal 30 in LISEC is not arranged to operate in this manner as it is swung into place (following the arc of arrow 46); it would not seal properly if moved solely perpendicular to the plane of the plates (e.g., seal 30 would catch on the ends of the panes of glass if moved this way).

By way of further explanation, LISEC and the present invention operate in different ways. LISEC makes the space that is to be filled with gas as small as possible in order to avoid gas losses. The present invention, in contrast, fills the complete interior space between the two plates as defined by the two vertical seals (the sealing elements 12) to speed up the sealing process (page 1, last paragraph). This is the reason the invention of claim 1 has three seals, namely the seal 20 and the two sealing elements 12. The difference in the method of operation is manifested structurally in claim 1 by the movement of the seal 20 solely perpendicular to the plane of the plates.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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